

AGENDA
HOUSE JUDICIARY COMMITTEE
February 25, 2020

The House Judiciary Committee will meet on **Tuesday, February 25 , 2020, one and one half hours upon adjournment of the House in Room 516 of the Blatt Building**, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable with Amendment

[H. 4937](#) -- Reps. Fry, Rose, Hewitt, Kirby, Clary and W. Newton: A BILL TO AMEND SECTION 33-57-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONS TO THE PROHIBITION ON LOTTERIES AND RAFFLES, SO AS TO CLARIFY THAT ELECTRONIC GAMING DEVICES ARE PROHIBITED; TO AMEND SECTION 33-57-110, RELATING TO DEFINITIONS, SO AS TO EXPAND THE DEFINITION OF A "NONPROFIT ORGANIZATION" TO INCLUDE AN ORGANIZATION RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) AND TO DEFINE THE TERM "ELECTRONIC GAMING DEVICE"; TO AMEND SECTION 33-57-120, AS AMENDED, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE AND TOTAL PRIZE LIMITS; TO AMEND SECTION 33-57-150, RELATING TO ALLOWABLE EXPENSES AND RECORDS FOR A RAFFLE, SO AS TO PROVIDE WHAT MUST BE CONTAINED IN THE REPORT TO THE SECRETARY, TO ALLOW FOR THE SUBMISSION OF ONE REPORT FOR A NONPROFIT ORGANIZATION WITH AFFILIATES OR SUBSIDIARIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH CERTAIN RECORD KEEPING REQUIREMENTS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

Favorable

[H. 4203](#) -- Rep. Clary: A BILL TO AMEND SECTION 8-13-1300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SOUTH CAROLINA CAMPAIGN PRACTICES, SO AS TO REVISE THE DEFINITIONS OF "COMMITTEE", "CONTRIBUTION", "NONCANDIDATE COMMITTEE", AND "BALLOT MEASURE COMMITTEE".

CRIMINAL LAWS SUBCOMMITTEE

Favorable with Amendment

[H. 3827](#) -- Reps. Pope, Taylor, Yow, McCravy, Bryant, Fry, W. Newton, Clary, Caskey, B. Newton, Johnson, Simrill, Young, Bennett, Norrell, Elliott, Daning, West, Magnuson, Hardee, Lucas, Blackwell, Forrest, Gagnon, Gilliam, Hixon, Mace, D.C. Moss, Tallon, Bamberg, Erickson, Bradley and Davis: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO PROVIDE THAT THE ABILITY OF THE CIRCUIT SOLICITOR TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S RIGHT TO A SPEEDY TRIAL; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL CRIME VICTIMS' CONSTITUTIONAL RIGHTS.

Favorable

[S. 176](#) -- Senators Hembree, Martin and Verdin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

GENERAL LAWS SUBCOMMITTEE

Favorable

[H. 4800](#) -- Reps. Collins, Bernstein and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

Favorable with Amendment

[H. 4710](#) -- Reps. Bernstein, Finlay, Clary, Collins, Wooten, G.R. Smith, Clyburn, Hosey and Rose: A BILL TO AMEND SECTIONS 16-17-500 AND 16-17-501, AS AMENDED, AND SECTIONS 16-17-502, 16-17-503, 16-17-504, AND 16-17-506, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE “YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006”, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-95-20, AS AMENDED, RELATING TO CERTAIN PUBLIC INDOOR AREAS WHERE SMOKING IS PROHIBITED IN SOUTH CAROLINA, SO AS TO APPLY ALSO TO THE USE OF VAPOR PRODUCTS; AND TO AMEND SECTION 59-1-380, RELATING TO THE MANDATORY PUBLIC SCHOOL COMPREHENSIVE TOBACCO-FREE CAMPUS POLICY, SO AS TO MAKE TECHNICAL CORRECTIONS.

Favorable

[H. 4963](#) -- Reps. Tallon, Moore, Bernstein, Caskey, Clary, Davis, Elliott, King, Mace, Wheeler, Simrill, Rutherford, Bannister, Finlay, Bradley, Collins, Fry, Hyde, Murphy, W. Newton, Rose, Wooten, B. Newton, Sottile, Ridgeway, Ott, Hardee, Bailey, Herbkersman, Bamberg, Daning, Kirby, Atkinson, Felder, Hewitt, Martin, Oremus and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-360 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY; AND BY ADDING SECTION 61-6-1650 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES IN EXCESS OF SIXTEEN PERCENT ALCOHOL, CORDIALS, OR DISTILLED SPIRITS TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY.

SPECIAL LAWS SUBCOMMITTEE

Favorable

[H. 4078](#) -- Reps. Tallon, Hixon, Johnson, W. Newton, Pope, Hardee, Hyde, Bailey, Hewitt and R. Williams: A BILL TO AMEND SECTION 2-1-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT CERTAIN REPORTS SUBMITTED TO THE GENERAL ASSEMBLY MUST BE ELECTRONICALLY TRANSMITTED, SO AS TO EXTEND THE REQUIREMENT TO REPORTS SUBMITTED TO A STANDING COMMITTEE OR ANY OTHER COMMITTEE CREATED BY THE GENERAL ASSEMBLY.

Favorable

[H. 3373](#) -- Reps. Huggins and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-3-710 SO AS PROVIDE THAT A FIRST RESPONDER IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGE RESULTING FROM PROVIDING FIRST AID SERVICES TO A DOMESTIC ANIMAL IN THE COURSE OF RESPONDING TO AN EMERGENCY.